

## CHAPTER III. LOT SPLITS

### Article 1. General Provisions

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#### Article 1. GENERAL PROVISIONS

- 3-101. **OBJECTIVE.** The objective of this Article is to provide for the division of a lot into not more than two (2) lots, without having to comply with the platting requirements described in Chapter 2. Such lot split shall be subject to the guidelines established in Section 3-104 and any further divisions of the lot(s) shall be platted in compliance with the requirements of Chapter 2. In conformance with the definition of a “Lot,” Chapter 1, Section 1-107(20) herein, a lot may be either more than one lot of record under single ownership or control, or may be a metes-and bounds described tract under single ownership or control having its principal frontage upon a street.
- 3-102. **AUTHORIZATION FOR APPROVAL OF LOT SPLITS.** The Zoning Administrator is hereby authorized to approve or disapprove a lot split in accordance with the provisions of this Chapter. Appeals from a decision made by the Zoning Administrator may be made by the applicant to the Board of Zoning Appeals for a final determination.
- 3-103. **APPLICATION PROCEDURE.** The application for a lot split shall be made to the Zoning Administrator on forms provided and shall be accompanied by the following information:
1. Three copies of a drawing to scale of not less than 1” = 100’ showing the lots involved, the precise location of any structures thereon, and the location and dimensions of the original and proposed lots. Said drawing shall be a certificate of survey from a licensed land surveyor to determine the exact location of the structures and the precise dimensions of the lots.
- 3-104. **APPROVAL GUIDELINES.** No lot split shall be approved if one or more of the following applies:
1. A new street or alley is needed or proposed; unless dedication can be made by separate instrument.

2. Such action will result in significant increase in service requirements, including, but not limited to: utilities, traffic control, and streets, etc.; or will interfere with maintaining existing service levels, including, but not limited to: ~~e.g.~~, additional curb cuts or points of access, and repaving.
3. There is less street right-of-way than required by these Regulations, unless dedication of additional right-of-way can be made by separate instrument.
4. Any easement requirements have not been satisfied.
5. Such split will result in a lot without direct access to and/or less than the required frontage on a street as specified in the Zoning Regulations of the City of McLouth.
6. A substandard-sized lot will be created according to these Regulations or the Zoning Regulations of the City of McLouth, Kansas; except as provided in Section 3-105 herein.

The Zoning Administration shall, in writing, either approve, with or without conditions, or disapprove, the lot split within 15 working days of the application.

The Zoning Administrator may make such additional requirements as deemed necessary to carry out the intent and purpose of these Regulations. Such requirements may include, but not be limited to, installation of public facilities or dedication of right-of-way and/or easements.

3-105.                   INDUSTRIAL LOT SPLITS. The unlimited division of a platted lot used for industrial purposes only shall be permitted; provided, the resulting lots are used for industrial purposes in accordance with the Zoning Regulations of the City of McLouth.